

Minutes of a Meeting of the **Planning Committee** held in the Deben Conference Room, East Suffolk House, Riduna Park, Melton on **Thursday 21 March 2019 at 9.15am**

Members of the Committee present:

D McCallum (Chairman), S Harvey (Vice-Chairman), C Blundell, S Burroughes, A Cooper, M Deacon, D Dean, A Fryatt, C Hedgley, G Holdcroft, M Jones, M Newton, A Smith.

Officers present:

L Beighton (Planning Development Manager), J Blackmore (Senior Planning and Enforcement Officer), C Buck (Senior Planning Enforcement Officer), G Heal (Area Planning and Enforcement Officer), R Lambert (Area Planning and Enforcement Officer), M Makin (Democratic Services Business Manager), S Milligan (Area Planning and Enforcement Officer), K Scott (Development Management Team Leader – South), R Smith (Senior Planning and Enforcement Officer).

1. Apologies for Absence and Substitutions

There were no apologies for absence or substitutions.

2. Declarations of Interest

Interests were declared in the following applications:

1.	DC/18/2325/FUL	Part Land South West Aldringham House, Aldeburgh Road, Aldringham-cum-Thorpe, IP16 4PT	Councillor Jones declared a Local Non-Pecuniary Interest as both the Ward Member for Aldringham-cum-Thorpe and as a member of Aldringham-cum-Thorpe Parish Council.
2.	DC/19/0445/FUL	Cliff Steps to Promenade, Cliff Road, Felixstowe, IP11 9SH	Councillor Deacon declared a Local Non-Pecuniary Interest as a member of Felixstowe Town Council.
3.	DC/19/0445/FUL	Cliff Steps to Promenade, Cliff Road, Felixstowe, IP11 9SH	Councillor Smith declared a Local Non-Pecuniary Interest as a member of Felixstowe Town Council.
4.	DC/18/5160/VLA	Cowpasture Farm, Gulpher Road, Felixstowe, IP11 9RD	Councillor Deacon declared a Local Non-Pecuniary Interest as a member of Felixstowe Town Council.
5.	DC/19/0153/FUL	Hungarian Hall, Byng Hall Lane, Pettistree, IP13 0JF	Councillor McCallum declared a Local Non-Pecuniary Interest, as a close relative's company occasionally operated from the kitchen and bar at the premises.

3. Minutes

RESOLVED

That the Minutes of the Meeting held on 21 February 2019 be agreed as a correct record and signed by the Chairman.

Before moving to the next item of business, the Committee briefly discussed the communication of the East Suffolk Council Development Management function changes, from 1 April 2019, to interested parties. It was confirmed that a letter containing these details had been circulated to town and parish councils, agents, and Ward Members.

4. Appeals to the Ministry of Housing, Communities and Local Government

The Planning Committee received report **PC 11/19** of the Head of Planning and Coastal Management. The report provided information on appeals received and decided during the period 4 February 2019 and 4 March 2019.

It was confirmed that the appeal, to be heard via Planning Inquiry, in relation to Crown Nurseries had been withdrawn by the appellant.

RESOLVED

That the contents of the report be noted.

5. Authorised Enforcement Action - Case Update – From 21 February 2019

The Planning Committee received report **PC 12/19** of the Head of Planning and Coastal Management. The report provided a summary of the status of all outstanding planning enforcement cases where action had either been sanctioned under delegated powers or through the Planning Committee.

RESOLVED

That the contents of the report be noted.

6. Enforcement of Planning Control – OS 9634, Brook Lane, Framlingham, IP13 9BA

The Planning Committee received report **PC 13/19** of the Head of Planning and Coastal Management which related to a rise in ground levels to a footpath to the east of the site, not built in accordance with the approved plans of planning permission DC/15/0960/FUL and Condition 15 of DC/16/3133/DRC.

The Committee was advised that the footpath had been formalised with surface treatment as approved, however the ground level in some areas had increased. The Committee was shown a topographical survey of the site before and after the works, as well as site photographs which demonstrated the relationship of the footpath to property boundaries.

Although the changes in ground level did have an impact, the Committee was advised that given that the changes to the boundary treatments to mitigate this were allowed under permitted development, it was not considered expedient to take enforcement action.

The Chairman noted that the original complaint was lodged in 2017 and queried why the issue was only now before the Committee. The Development Management Team Leader (South) advised that she had not been involved with the case in its early stages and since becoming involved, noted that it had taken some time to complete the topographical surveys. It was confirmed that no other complaints had been received in relation to the site.

There being no debate, the Chairman moved to the recommendation. On the proposition of Councillor Harvey, seconded by Councillor Burroughes it was unanimously

RESOLVED

That the Head of Planning and Coastal Management be authorised to take no further action.

7. Applications for Permission to carry out development or display advertisements

Ten applications for permission to carry out development or to display advertisements, as detailed in report **PC 14/19**, were considered and determined as follows:

The Chairman re-ordered the schedule to bring forward those applications with public speaking.

- 1. ALDRINGHAM – DC/18/2325/FUL – Residential development of 40 dwellings, together with associated access roads, garaging and car parking: Part Land South West Aldringham House, Aldeburgh Road, Aldringham cum Thorpe, Suffolk, IP16 4PT for Messers G & H Ogilvie, N Maggs, J Cronk and Hopkins and Moore (Developments) Ltd.**

Full Planning Permission was sought for the erection of forty dwellings, and associated works, including highway access. The scheme proposed thirteen affordable dwellings and twenty-seven open market dwellings at a density of twenty-four dwellings per hectare. The site was allocated as site SSP4 within the Suffolk Coastal District Local Plan Site Allocations and Area Specific Planning Policies DPD.

The development was within the physical limits of Aldringham-cum-Thorpe and the front part of the site was within the designated Special Landscape Area. The proposed layout had a single vehicular access and with open space on the northern and western sides of the site. The Highway Authority had not objected to the application.

The development was also within the setting of the Grade II listed Elm Tree Farmhouse which lay to the south of the site. The layout included a tree belt on the southern side to provide mitigation to the setting of the listed building.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. Photographs of the site were displayed showing its relationship to the access to Aldringham House, which was located to the south-west of the site, as well as photographs of the proposed access to the site.

It was proposed that the site would have a single access from the highway, with a road that then split into two to access the dwellings.

The distance between the nearest plots to the two neighbouring residential properties was given as 17m and 41m respectively. It was not felt that the proposed development would impact on the residential amenity of either existing property.

The Committee was shown the layout of both the open market and affordable housing; the scheme proposed thirteen affordable dwellings and twenty-seven open market dwellings, which complied with the relevant policies in the Local Plan.

The Highway Authority had confirmed that it was content with the proposed access to the site and had proposed extending a footpath link from the site to the Thorpeness junction, which would allow pedestrian access to public transport links.

The proposed designs of the dwellings were demonstrated to the Committee.

The key issues were summarised as the impact on the character of the area, highway safety, the impact upon the setting of heritage assets, and ecological considerations.

The Area Planning and Enforcement Manager referred to both the late comments received from the Suffolk Wildlife Trust and third party representations, as set out in the update sheet.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

A member of the Committee was concerned that groundworks appeared to have taken place on the site before a breeding bird survey had been undertaken. She asked if the works undertaken would have an impact on the survey. The Area Planning and Enforcement Officer advised that land had been cleared so that archaeological works could be undertaken.

The mix of parking arrangements was noted by another member of the Committee; he queried the reason for such a mix. It was suggested that this was the design choice of the developer.

It was confirmed that the density of properties was twenty-four dwellings per hectare and not thirty dwellings as stated in the third party representations.

The Chairman invited Mr Smith, agent for the applicant, to address the Committee.

Mr Smith noted that the site had been allocated for development in the Local Plan. He considered that the development proposed by the applicant was in keeping with the local area, delivering much needed new homes including the required number of affordable housing units.

The site's boundary would be retained and enhanced and an open space would be created and supported through CIL payments and a Section 106 Agreement.

A breeding bird survey was underway and was focused on the margins of the site. Mr Smith advised that this had not been undertaken sooner as it was only now the right time of year for it to be completed effectively.

He added that further archaeological work was being completed and that this would not impact the potential habitat areas in the site's field margins. It was confirmed that the applicant had sought advice from their ecologist before undertaking any of this work.

Mr Smith hoped that the Committee would agree with the Officer's recommendation and approve the application.

The Chairman invited questions to Mr Smith.

The Vice-Chairman highlighted that Swift colonies were located in the site's area and asked if Swift bricks could be included in the dwellings. Mr Smith advised that should ecological surveys show a need for them, Swift bricks would be included.

Mr Smith confirmed that the timber posts would be installed at the boundary of the open space to the north of the site, as suggested by Suffolk Police's Designing Out Crime Officer.

Mr Smith acknowledged the concerns received from residents by Aldringham-cum-Thorpe Parish Council and advised that the Parish Council would, in future, be kept more up to date on the progress at the site.

A member of the Committee referred to his earlier question regarding the mix of parking arrangements on the site. Mr Smith said that the parking arrangements had been designed following consultation with Planning Officers and the Highway Authority, to provide the necessary amount of parking that was required.

The Chairman invited Councillor Jones, Ward Member for Aldringham-cum-Thorpe, to address the Committee.

Councillor Jones proposed that the Committee should visit the site before determining the application. She acknowledged that the site was allocated for development in the Local Plan but highlighted the controversy around the site's inclusion.

Councillor Jones welcomed the suggestion from the Highway Authority that the footpath be extended but was concerned that its extension still finished in a dangerous area. Residents had expressed concern about the sites ingress and egress next to a very busy road. She was of the opinion that any development of the site should be carefully scrutinised and was concerned that the proposed development would be overdevelopment that would result in an urban setting in the countryside.

There being no questions to Councillor Jones, the Chairman invited the Committee to debate the application that was before it.

Councillor Jones, when speaking as Ward Member, had proposed a site visit. The Chairman moved to the proposal which was seconded by Councillor Dean and by a majority vote **FAILED**.

It was confirmed during debate that a section of the site's highway would be adopted by the Highway Authority, and that a management company would oversee the maintenance of open spaces.

The Chairman noted that no objector, nor the Parish Council, had attended to speak on the application. She was happy with the proposal, noting that the site was allocated in the Local Plan. She also considered that the proposed parking was appropriate.

Several members of the Committee spoke in support of the application, acknowledging that the site had been allocated for development and contained the required number of affordable housing units. One member of the Committee stated that although he was delighted with the housing mix, he was concerned that the affordable units had not been fully integrated throughout the site.

There being no further debate, the Chairman moved to the recommendation to delegate authority to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

AUTHORITY TO APPROVE subject to completion of breeding bird surveys of the site with no significant impact identified on protected or priority species and completion of Habitats Regulations Assessment; and subject to a Legal Agreement to secure the provision of the affordable housing and appropriate mitigation to protected European Sites (RAMS), and subject to the following conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be completed in all respects strictly in accordance with the following drawings for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Drg No ALD2 002A Planning Layout received 13.11.2018
ALD2 003A External Works Layout received 13.11.2018
ALD005 Materials Plan received 04.06.2018
HOPK 428/24-001 REV A Concept Landscape Proposals received 04.06.2018
6514-D-AIA Tree Survey and Arboricultural Impact Assessment received 04.06.2018
ALD2 100 House type 1300 Floor Plans and Elevations received 04.06.2018
ALD2 101 House type 1300 Floor Plans and Elevations received 04.06.2018
ALD2 102 House type 1762 Floor Plans received 04.06.2018
ALD2 103 House type 1762 Elevations received 04.06.2018
ALD2 104 House type 660 Floor Plans received 04.06.2018
ALD2 105 House type 660 Elevations received 04.06.2018

ALD2 106 House type 1042 Floor Plans and Elevations received 04.06.2018
ALD2 107 House type 1200 & 1050 Floor Plans received 04.06.2018
ALD2 108 House type 1200 & 1050 Elevations received 04.06.2018
ALD2 109 House type 750 Floor Plans received 04.06.2018
ALD2 110 House type 750 Elevations received 04.06.2018
ALD2 111 House type 855 Floor Plans received 04.06.2018
ALD2 112 House type 855 Elevations received 04.06.2018
ALD2 113 House type 1050 & 892 Floor Plans received 04.06.2018
ALD2 114 House type 1050 & 892 Elevations received 04.06.2018
ALD2 115 House type 1050 & 892 Elevations 2 received 04.06.2018
ALD2 116 House type 1567 Floor Plans received 04.06.2018
ALD2 117 House type 1567 Elevations received 04.06.2018
ALD2 118 House type 892 Floor Plans received 04.06.2018
ALD2 119 House type 892 Elevations received 04.06.2018
ALD2 120 House type 1567 Floor Plans received 04.06.2018
ALD2 121 House type 1567 Elevations received 04.06.2018
ALD2 122 House type 1762 Floor Plans received 04.06.2018
ALD2 123 House type 1762 Elevations received 04.06.2018
ALD2 124 House type 1104 Floor Plans received 04.06.2018
ALD2 125 House type 1104 Elevations received 04.06.2018
ALD2 126 House type 861 & 892a Floor Plans received 04.06.2018
ALD2 127 House type 861 & 892a Elevations received 04.06.2018
ALD2 128 House type 861 Floor Plans received 04.06.2018
ALD2 129 House type 861 Elevations received 04.06.2018
ALD2 130 House type 495 Floor Plans received 04.06.2018
ALD2 131 House type 465 Elevations 1 received 04.06.2018
ALD2 132 House type 495 Elevations 2 received 04.06.2018
ALD2 133 House type 750, 1045, 1050 Floor Plans received 04.06.2018
ALD2 134 House type 750, 1045, 1050 Elevations received 04.06.2018
ALD2 301 Garages 1 received 04.06.2018
ALD2 302 Garages 2 received 04.06.2018
ALD2 303 Garages 3 received 04.06.2018
ALD2 304 Garages 4 received 04.06.2018
ALD2 305 Substation received 04.06.2018
Drg No 1711-129-002 Rev C Engineering Layout received 28.01.2019

Reason: For the avoidance of doubt as to what has been considered and approved.

The materials and finishes shall be as indicated within the submitted application and thereafter retained as such

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity.

3. Within three months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reasons: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

4. The approved scheme of landscape works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter and shall be retained and maintained.
Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity
5. No development shall commence until an Arboricultural Method Statement and Tree Protection Plan have been submitted to and approved in writing by the local planning authority.
Reason: To ensure that the works undertaken in the vicinity on trees to be retained at the site are carried out in a way that minimises/prevents damage to them.
6. Unless otherwise agreed in writing with the local planning authority no development shall commence or any materials, plant or machinery be brought on to the site, until the approved scheme of protective fencing has been implemented. At no time during the development shall there be any materials, plant or equipment stored, or building or excavation works of any kind undertaken, beneath the canopies of the trees and hedges. All fencing shall be retained and maintained until the development is complete.
Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.
7. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.
An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.
Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property

and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Prior to the commencement of development, an Ecological Mitigation Strategy and Landscape and Ecological Management Plan should be produced for the site for approval in writing. The approved Strategy and Management Plan should be followed throughout the construction process and post construction period where applicable.

Reason: In the interests of ecological mitigation and enhancement.

9. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated January 2019, ref: 1711-129 Rev D) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

10. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

11. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

1. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan.

12. No other part of the development shall be commenced until the new vehicular access has been laid out and completed to at least Binder course level or better in accordance with Drawing No 1711-129-SK001 and been made available for use.

Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.

13. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 90 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

14. Before first occupation a footway fronting the site shall be constructed in accordance with details, which previously shall have been submitted to and approved in writing by the Local Planning Authority. The lengths of footway are shown indicatively, on Drawing Nos ALD-002-A and ALD-003-A, extending north to suitably safe crossing point and south to the existing bus stop.

Reason: To secure appropriate improvements to the existing highway in the interests of highway safety and access to sustainable transport in the form of the local footway and bus networks.

15. The areas to be provided for the (loading, unloading,) manoeuvring and parking of vehicles shall be in accordance with Drg No ALD2 002A Planning Layout received 13.11.2018. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

16. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

17. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

18. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

a. The programme and methodology of site investigation and recording b. The programme for post investigation assessment c. Provision to be made for analysis of the site investigation and recording d. Provision to be made for publication and dissemination of the analysis and records of the site investigation e. Provision to be made for archive deposition of the analysis and records of the site investigation f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

19. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to, and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 21 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

20. Within 3 months of the commencement of development a scheme of external lighting on the site shall be submitted to the local planning authority for approval in writing. The approved scheme of lighting shall be implemented prior to occupation of the final dwelling.

Reason: In the interests of amenity and ecology.

21. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

a. The proposed route for access to the site by plant, operatives and delivery vehicles;
b. Loading and unloading of plant and materials;
c. Storage of plant and materials used in the construction of the development;
d. Materials/plant delivery times;
e. Construction times;
f. Parking for construction workers and visitors;
g. Wheel washing facilities; measures to control the emission of dust and dirt during construction;

h. A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of amenity, highway safety and the protection of the local environment.

10. WALDRINGFIELD – DC/18/3623/FUL – Demolition of existing dwelling and outbuildings. Erection of three houses and one bungalow. Alterations to existing access at Eureka, Cliff Road, Waldringfield, IP12 4QL for Westgreen Commercial Ltd

Full Planning Permission was sought for the replacement of one large detached dwelling with three two-storey dwellings and one single storey dwelling at Eureka, Cliff Road, and Waldringfield. The application had come before the Planning Committee via the referral process.

The proposal represented the provision of one additional dwelling to replace a similar scale cartlodge/storage structure approved within extant planning permission DC/17/1055/FUL for three two-storey dwellings. Access improvements, including the provision of a new stretch of paving linking an existing footway with a pedestrian school access, were also included.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site's location and photographs of the existing dwelling were displayed.

The Area Planning and Enforcement Officer noted the extant planning permission on the site for three dwellings and a cartlodge/storage structure. The proposed application was similar; the main difference was that the cartlodge/storage structure had been replaced with a one-bedroom single storey bungalow. The principal elevations and mix of housing types were displayed. The Committee was advised that the approved scheme was a material planning consideration; the additional dwelling increased the number of dwellings per hectare.

The proposed access arrangements to the site were similar to what had been approved and the application included extending pedestrian access towards Waldringfield Primary School. The proposed access would not affect the mature oak at the entrance to the site, and vehicles would be entering and exiting the site from/to a 20mph speed limit.

The key issues were summarised as design, highways, and residential amenity.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

The Chairman noted the planning history of the site and asked why an application for four dwellings was recommended for approval when the extant planning permission for three dwellings on the site had been refused by officers in 2016 under delegated authority and allowed on appeal.

The Area Planning and Enforcement Officer advised that the planning permission allowed on appeal was a material consideration, and noted that on reflection he had agreed with the Inspector's comments in the appeal decision. He noted that following that appeal, a similar application which had made changes to the cartlodge had been approved in 2017, again with consideration of the appeal decision being a material one.

The Vice-Chairman queried the definition of the dwellings as 'small'. The Area Planning and Enforcement Officer noted that the three four-bedroom dwellings included a very small fourth bedroom, which was smaller than the study included in the one-bedroom dwelling.

In response to a question from a member of the Committee regarding apparent cramping, the Chairman advised the Committee that the Planning Inspector's appeal decision had stated that the development was not cramped. She reminded Members that the applicant had planning permission to build out three four-bedroom dwellings on the site.

The Chairman invited Mr Reay, agent for the applicant, to address the Committee.

Mr Reay confirmed that the site had extant planning permission for the demolition of the existing dwelling and the erection of three four-bedroom dwellings alongside a cartlodge. He stated that the new application proposed a new one-bedroom dwelling in place of the cartlodge, and three larger dwellings with a smaller floor area than what was approved. He did not consider the proposal to be overdevelopment.

The application contained the same level of parking as what was approved on the site, with the addition of another visitor parking space. Mr Reay considered that any possible heating oil deliveries could be made from Cliff Road via hose or on site by a micro-tanker. He was of the view that the objections of both Waldringfield Parish Council and third parties were addressed by the existing planning permission, and noted that there had been no new objections from the Highway Authority.

The Chairman invited questions to Mr Reay.

The Chairman referred to the comments received from the Highway Authority, noting the amendments that it had made to its initial response. She queried if the required visibility splay had been met.

Mr Reay said that the Highway Authority had amended its comments after being advised of the extant planning permission, which contained identical access arrangements. At this point, the Planning Development Manager referred the Committee to the penultimate sentence of paragraph 4.2 of the report, which supported Mr Reay's statement. She also referred the Committee to the final sentence of the paragraph, which highlighted the Highway Authority's concerns regarding sufficient space for delivery vehicle turning.

Mr Reay advised that a bin presentation area had been included on the access road, close to the site entrance.

A member of the Committee asked what the difference in floor area was between the approved cartlodge and the proposed one-bedroom dwelling. Mr Reay said that he had been advised that there was a difference of 12 square metres.

The Chairman invited Mrs Elliott, representing Waldringfield Parish Council, to address the Committee.

Mrs Elliott informed the Committee that Waldringfield Parish Council objected strongly to the application and had grave concerns regarding its impact on safety and the inconsistent approach to the site by the Highway Authority.

The Parish Council had objected to previous applications on the site due to concerns regarding road safety and the suitability of the shared drive, the latter not being wide enough at either its widest point or the point of access to and from Cliff Road.

Mrs Elliott noted the amendments made by the Highway Authority to its comments on the application and questioned why the Officer had intervened by highlighting the extant planning permission. She reiterated that the access was not suitable for the number of vehicles that would access the site and that it would increase safety risks in the area particularly for Waldringfield Primary School, which was located close to the site.

In her conclusion, Mrs Elliott recommended that the Committee visit the site as the previous approved application had been determined at officer level and the appeal decision had been based around density.

The Chairman invited questions to Mrs Elliott.

Mrs Elliott did not consider that the minimum visibility splay had been met. She conceded that the amount of vehicle movements to and from the site would not increase significantly should the new scheme be approved, but reiterated her concerns regarding the responses to the applications by the Highway Authority.

A member of the Committee asked Mrs Elliott if the large, mature oak at the site's entrance presented a physical reason for a lack of visibility, and if she agreed that the nearby area was a busy one due to the nearby school and village hall. Mrs Elliott advised that both the school and hall generated peak drop-off and pick-up periods in the area over the course of the day.

Another member of the Committee was dismayed by the criticism of the Officer for prompting the Highway Authority to consider the extant planning permission on the site. He asked Mrs Elliott what she considered the impact of both an additional dwelling would be over what could already be built out and any possible appeal if the Highway Authority had not been asked to consider what was already approved.

Mrs Elliott stated that the concern of the Parish Council was that the Highway Authority had recommended approval on the original application and had initially recommended refusal of application being considered by the Committee. She acknowledged that the impact of one additional dwelling in terms of highway movements would be negligible.

The Chairman invited Councillor Harvey, Ward Member for Waldringfield, to address the Committee.

Councillor Harvey was well aware of the site and its planning history. She considered that the addition of another dwelling on the site amounted to overdevelopment.

She noted the concerns of the Highway Authority regarding sufficient space for delivery vehicle turning, stating that it would be unacceptable for delivery vehicles to have to reverse out of the site onto the highway. She said that the visibility at the access point was poor and that the site was adjacent to Waldringfield Primary School.

Councillor Harvey was of the opinion that the new application overstepped the mark, given what was already approved to be developed on the site, and should be refused. She added that the site was within the AONB and that the application neither enhanced nor protected it.

There being no questions to Councillor Harvey, the Chairman invited the Committee to debate the application that was before it.

The Chairman opened the debate and stated that she was of the view that the application was straightforward. She noted that the Council had refused the application for three dwellings on the site and that planning permission had been granted on appeal. She considered that the new application did not resolve the issues of what had been approved on appeal and could not support the application.

Several members of the Committee were not in favour of the application, citing concerns regarding the parking and access arrangements, refuse collection from the highway, and the impact on what was already a busy area for traffic.

Another member of the Committee suggested that the application appeared straightforward due to the extant planning permission on the site, but considered that the new application should not happen. He referred to the Planning Inspector's decision on the application that was allowed on appeal and stated that the Committee needed to consider what the incremental impact of another dwelling would be, if it was minded to refuse the application.

This view was echoed by several members of the Committee, who agreed with the concerns that had been raised and acknowledged that the extant planning permission was a material consideration.

A member of the Committee suggested that the application should be refused on the grounds that it represented a cramped form of development and said that he could not vote in favour of it.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and by a majority vote **FAILED**.

The Chairman sought an alternative recommendation. Following further debate by the Committee, it considered that the application could be refused as it represented a cramped form of overdevelopment.

The Committee was advised that it could refuse the application on the grounds that the additional dwelling and repositioning of the previously consented four-bed dwellings and associated impacted upon parking and turning arrangements represented a cramped form of

overdevelopment of the site, that would neither preserve or enhance the character of the AONB, and that the proposal was therefore contrary to local policies SP15, DM7 and DM21, and the principles of the NPPF.

The Chairman moved to the alternative recommendation to refuse, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

REFUSED as the additional dwelling and repositioning of the previously consented four-bed dwellings and associated impacts upon parking and turning arrangements represent a cramped form of overdevelopment of the site that would neither preserve nor enhance the character of the AONB. The proposal is therefore contrary to local policies SP15, DM7 and DM21, and the principles of the NPPF.

Following the determination of the item, the Chairman adjourned the meeting for a short break. The meeting was adjourned at 10.53am and was reconvened at 11.12am.

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8. **TRIMLEY ST MARY – DC/19/0063/FUL – Removal of existing barn and reconstruction, with single storey extensions, on land to the rear of the existing dwelling, and associated works at The Limes, 200 High Road, Trimley St Mary IP11 OSP for Mr and Mrs Pickover**
 9. **TRIMLEY ST MARY – DC/19/0064/LBC – Removal of existing barn and reconstruction, with single storey extensions, on land to the rear of the existing dwelling, and associated works at The Limes, 200 High Road, Trimley St Mary IP11 OSP for Mr and Mrs Pickover**

Planning Permission and Listed Building Consent were sought for the relocation of the existing curtilage listed barn to an alternative position within the residential curtilage associated with The Limes and subsequently secure its conversion, with the inclusion of single storey additions, to a residential dwelling. Permission was granted in 2014 for its residential conversion but this was not implemented.

The applications were before the Committee because the proposed location of the barn, with its residential use, albeit being within the residential curtilage, was outside the settlement boundary and in an Area to be Protected from Development (APD) as annotated in the Felixstowe Peninsular Area Action Plan (AAP).

The Committee was informed that, due to the link between the two applications, they would be presented together. The Chairman advised that each application would be determined individually.

The Committee received a presentation on the applications from the Planning Development Manager. She noted that there had been no objections to the applications and a letter of support had been received from the Parish Council and local resident.

The site's location was outlined to the Committee. The Planning Development Manager advised that The Limes had been listed in 1983 and the barn the subject of the application was curtilage listed. The permission granted in 2014 for the barn's residential conversion was stated to be a material consideration.

The Planning Development Manager highlighted the site's location relative to the Bloor Homes development that had been approved, stating that the APD did not necessarily preclude development in the area.

The Committee was informed that the barn would be dismantled and reconstructed in its new location; this approach was supported by the Council's Principal Design and Conservation Officer and was the first example in the District of such a proposal.

A detailed method statement had been submitted as part of the application which showed that no harm would be caused to the barn during the process of relocating it. The Planning Development Manager advised that if the barn was retained in its current location and used for separate residential unit, it would result in a close relationship between the two dwellings which would be harmful to residential amenity and result in poor levels of parking and garden.

It was noted that although the barn would be relocated outside of the settlement boundary, it would remain within the residential curtilage of The Limes and would not be moved into open countryside as the existing garden was bounded by vegetation and fencing.

The site's location relative to land identified in policies FPP7 and FPP8 of the Felixstowe Peninsula AAP was displayed.

The key issues were summarised as the principle of development and the impact on a heritage asset.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

A member of the Committee noted that the barn had been identified as a Curtilage Listed Building and asked for clarification on this designation. The Planning Development Manager advised that the barn was not a Listed Building in its own right, but was listed as it was within the curtilage of a Listed Building. She confirmed that this would remain in place after any relocation of the barn.

In response to queries from members of the Committee, the Planning Development Manager highlighted the proposed elevations which included the minimal fenestration planned for the barn. She advised that this was not dissimilar from what had been approved in 2014. Window details, including double glazing, had been agreed as acceptable.

The Chairman invited Mr Pickover, the applicant, to address the Committee. Mr Pickover was supported by Mr Bush, the architect for the application.

Mr Pickover noted the sensitivity and hard work undertaken to provide the scheme before the Committee. He confirmed that an archaeological survey had been completed and nothing had been found; the final survey report was pending.

The Chairman invited the questions to Mr Pickover and Mr Bush.

Mr Bush confirmed that there would be minimal removal of existing vegetation to accommodate the barn's relocation, and that replanting would be undertaken to mitigate this.

There being no questions to Mr Pickover, nor any other public speaking, the Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman moved to the recommendation to approve application **DC/19/0063/FUL**, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.
- 2 The development hereby permitted shall be completed in all respects strictly in accordance with the following plans
195/2A - proposed block plan
975/5A - proposed elevation and floor plans
975/6 - proposed elevation
received 11 January 2019; for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.
- 3 Prior to taking down, the existing barn is to be recorded to Historic England Level 2 as described in 'Understanding Historic Buildings: A Guide to Good Recording Practice' (2016). The subsequent record to be submitted to the Suffolk County Council Historic Environment Record prior to completion of the project.
Reason: To secure a record of the existing barn
- 4 Prior to the re-building of the barn, a full specification of external materials to include roof coverings, wall construction, doors, windows, flue, vents and including brick bond and mortar type shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in full accordance with the approved details.
Reason: To secure appropriate design and appearance of the building
- 5 All new rainwater goods shall be in painted cast metal, only
Reason: In the interest of visual amenity and preservation of a heritage asset
- 6 Prior to the re-building of the barn, full details of hard landscaping and boundary treatments including to the churchyard of St Mary's shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in full accordance with these details.

Reason: To secure appropriate landscaping and boundary treatment

- 7 Prior to the dismantling of the barn, a Method Statement for the dismantling and re-erection of the timber-frame to the existing barn shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in complete accordance with the approved details.

Reason: In the interest of ensuring the integrity of the heritage asset.

- 8 Prior to the re-building of the barn, samples and details of the external door and windows shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interest of securing the integrity of the heritage asset.

- 9 In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 10 No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording

- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved by the Local Planning Authority.
- Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

- 11 No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 10 and the provision made for analysis, publication and dissemination of results and archive deposition.
- Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2018).

The Chairman then moved to the recommendation to approve application **DC/19/0064/LBC**, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).
- 2 The development hereby permitted shall be completed in all respects strictly in accordance with the following plans

195/2A - proposed block plan
975/5A - proposed elevation and floor plans
975/6 - proposed elevation

received 11 January 2019;; for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

5. **ORFORD – DC/18/4844/FUL – Construction of new dwelling in the grounds for use as short term holiday let: The Great House, Church Street, Orford, IP12 2NT for Mr and Mrs Gerard.**
6. **ORFORD – DC/18/4845/LBC – Creation of pedestrian access in boundary wall: Great House, Church Street, Orford, IP12 2NT for Mr and Mrs Gerard**

Planning Permission was sought for the erection of a detached building within the curtilage of The Great House to be used as holiday accommodation, and Listed Building Consent was sought for the creation of a pedestrian access in an existing boundary wall and the insertion of a gate within the wall. The Great House was a Grade II Listed building and the site lay within the Orford Conservation Area and was a designated Area to be Protected from Development (APD).

The items had come before the Committee at its meeting on 21 February 2019 following a meeting of the Referral Panel. The items were deferred from that meeting to fully consider the existing use of the property.

The Committee was informed that, due to the link between the two applications, they would be presented together. The Chairman advised that each application would be determined individually.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. She confirmed that the report had been updated to include the information requested by the Committee at its meeting on 21 February 2019.

The Committee was apprised of the plans displayed its previous meeting. The proposed dwelling would be used as a holiday let and would be located in the southern corner of The Great House's grounds.

The key issues were summarised as the principle of development, the setting of the Listed Building, the conservation area, the APD, design, residential amenity, impact on trees, and parking.

The Senior Planning and Enforcement Officer referred to the Section 106 Agreement that would be put in place to limit the dwelling's use to holiday accommodation. She also referred to the use of The Great House itself; it had been confirmed that The Great House had been let for eighty-five nights in 2018, which equated to less than 25% of the year. This level of occupancy was not considered to have resulted in a change of use of the property.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

It was confirmed that the existing parking concerns on Broad Street could not be controlled through conditions, as this was a civil matter. The Senior Planning and Enforcement Officer

advised that there was sufficient parking available within the grounds of The Great House for the proposed dwelling.

The Chairman invited Mr Gerard, the applicant, to address the Committee in relation to application DC/18/4844/FUL.

Mr Gerard stated that he was the owner of The Great House. He considered that the application was for a small, modest studio within the grounds. He advised that it would be screened from the main dwelling by a 3m high yew hedge and a beech hedge of similar size, and would be screened at the rear by a bay hedge and the existing wall. He was of the opinion that the area for the proposed dwelling was a secluded location and that it would not feel integrated with The Great House.

Mr Gerard confirmed that there was significant parking available within the grounds.

The Chairman invited questions to Mr Gerard.

A member of the Committee sought further clarification around the use of the main dwelling. Mr Gerard explained that he currently lived in Cambridge and that he intended for him and his family to move to Orford full-time. He advised that The Great House had been let in previous years to fund renovations and repairs, and that he had an obligation to repoint the existing listed wall.

Mr Gerard said that he lived at The Great House as often as he was able to and was part of the village, highlighting his membership of the local sailing club. He said it was his intention to use the proposed dwelling as a means of helping to maintain The Great House and fund being able to retire to Orford.

Mr Gerard confirmed that he would encourage users of the proposed dwelling to park within the curtilage of The Great House and would write this into holiday let agreements, to prevent users parking on the grass verges on Broad Street.

The Chairman invited Mrs Barnwell and Mrs Iliff, representing Orford with Gedgrave Parish Council, to address the Committee in relation to application DC/18/4844/FUL.

Mrs Barnwell referred to paragraphs 5.6 and 5.7 of the report, which referred to the site being allocated as an APD. She stated that the Parish Council objected to the application as it would damage that protected status and would also exacerbate the existing parking issues in Orford.

She referred to an elevation that the Parish Council had been in receipt of, which suggested that only half of the proposed dwelling would be concealed from Broad Street. She was of the opinion that it would only be fully concealed from The Great House and not from the village.

Mrs Barnwell said that the Parish Council supported the concerns raised by Councillor Herring, the Ward Member for Orford, at the Committee's meeting on 21 February 2019 regarding the design not being in keeping with the local setting.

Mrs Iliff reiterated the parking problems on Broad Street; signage had been put up to discourage parking on the grass verges but this had been ineffective. She asked the Committee to support the Parish Council's objections to the application.

The Chairman invited questions to Mrs Barnwell and Mrs Iliff.

Mrs Barnwell and Mrs Iliff confirmed the Parish Council's concerns about users of the proposed dwelling parking in Broad Street rather than within the curtilage of The Great House.

The Chairman invited the Committee to debate application DC/18/4844/FUL.

During debate, it was clarified that the Principal Design and Conservation Officer did not consider that the application would have an adverse impact. The Senior Planning and Enforcement Officer also advised the Committee that both residential and holiday use was covered by C3 use; dependent on the holiday let usage a change of use could be considered to have taken place, but this was not the case in respect of The Great House.

Several members of the Committee sympathised with the Parish Council, but were in favour of the application.

There being no further debate, the Chairman moved to the recommendation to delegate authority to approve application **DC/18/4844/FUL**, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

AUTHORITY TO APPROVE subject to no serious concerns being raised regarding the impact on trees and following completion of a S106 Legal Agreement ensuring that the building is not sold off independently from Great House and that a contribution to the Suffolk Coast RAMS Scheme is made. Any approval should include the following controlling conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. 5855/401A received 15 January 2019 and 5855/402, /403 and /404 received 23 November 2018, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.
3. Prior to the construction of any part of the building hereby permitted, details of the following have been submitted to and approved in writing by the local planning authority:
 - (i) Schedule of materials (including brick bond, mortar type, rainwater goods, flue fascias and bargeboards),
 - (ii) Rooflights,

(iii) Folding doors

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building: the application does not include the necessary details for consideration.

4. Prior to the commencement of development, precise details of the build heights to eaves and ridge shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the exact size of the building is known to ensure that it remains small and therefore would not harm the character or appearance of the area.

5. The premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

6. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. The building hereby approved shall be constructed in complete accordance with the methods and recommendations as set out in the Arboricultural Statement carried out by Melling, Ridgeway and Partners dated 14th March 2019.

Reason: In order that there would be no adverse impact on the Beech tree on Broad Street adjacent to the site in the interest of visual amenity.

The Senior Planning and Enforcement Officer referred to her report in relation to DC/18/4845/LBC, confirming that the application applied solely to the proposed development of the listed wall.

The Chairman invited Mr Gerard to address the Committee in relation to application DC/18/4845/LBC.

Mr Gerard acknowledged the state of the wall and the need for its repair. He stated that he was proposing to install a gate so that users of the holiday let could move in and out of the property without feeling obliged to use the grounds of The Great House. He noted that there would be significant shrubbery behind the wall that would screen the holiday let from Broad Street.

The Chairman invited questions to Mr Gerard.

Mr Gerard confirmed that the proposed gate could be the same height as the wall. In response to questions from members of the Committee, he reiterated his desire to encourage users of the holiday let to not park on Broad Street and suggested he could take action by locking the gate if this request was not adhered to. He considered that the inclusion of a gate would make a material difference to the experience of those staying in the holiday let.

The gate, if approved, would be constructed from green oak so that it remained in keeping with its setting.

A member of the Committee questioned why users of the holiday let could not leave the site via The Great House on foot, given they would have access to park. Mr Gerard stated that he believed that guests would feel they were intruding onto the main dwelling by doing so.

The Chairman invited Mrs Barnwell and Mrs Iliff to address the Committee in relation to application DC/18/4845/LBC.

Mrs Barnwell considered that the creation of a gate would create an independent access and make the holiday let a separate unit to The Great House. She was concerned that the gate

would encourage guests to park on Broad Street and further the existing parking problem there, and considered that the gate would only be a convenience rather than an essential need. She concluded by raising concerns that the approval of a gate would set a precedent for future applications at significant sites in the village.

There being no questions to Mrs Barnwell and Mrs Iliff, the Chairman invited the Committee to debate application DC/18/4845/LBC.

Several members of the Committee expressed reservations regarding the installation of a gate within a listed wall. Reasons for concern included the alien nature of a gate in a wall that contributed significantly to the street scene, that it was merely for convenience, and that it would encourage users to park on Broad Street. They did not support the application.

Another member of the Committee spoke in support of the application. He considered that the proposed design complimented the wall and agreed with the rationale given for the installation of the gate.

There being no further debate, the Chairman moved to the recommendation to approve application **DC/18/4845/LBC**, which was proposed, seconded and by a majority vote **FAILED**.

The Chairman sought an alternative recommendation. Following further debate by the Committee, it was suggested that the application could be refused because of the significant harm that the installation of a gate would have on the listed wall.

The Chairman moved to the alternative recommendation to refuse, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

REFUSED as significant harm would be caused to the listed wall by the installation of a gate.

3. FELIXSTOWE – DC/18/5160/VLA – Variation of Legal Agreement on Section 52 Agreement dated 19 November 1982 at Cowpasture Farm, Gulpher Road, Felixstowe, Suffolk, IP11 9RD for Heather Stennett

The application sought to discharge a planning obligation under Section 106A of the Town and Country Planning Act 1990. On implementation of planning permission C/6582, the S.52 agreement restricted the use of the farmhouse to be used solely as a farmhouse in connection with the surrounding land known as Cowpasture Farm. It was considered that the S.52 agreement no longer served a purpose as such and could be discharged.

A certificate of lawful use, application reference DC/18/4174/CLE, for Use of Cowpasture Farm house as a C3 dwellinghouse in breach of condition 5 of planning permission C6583 (agricultural occupancy condition) was approved via delegated powers on 18th December 2018 which stated that the house had been used for the required period of time unconnected to the farm land.

The application was before the Committee as officers did not have delegated powers to determine Variation of Legal Agreements outside of Planning Committee.

The Committee received a presentation on the application from the Development Management Team Leader (South), on behalf of the case officer. She advised that officers were seeking the removal of the legal agreement as it was no longer enforceable.

The Chairman invited questions to the Officer.

The Planning Development Manager advised the Committee that the wider farmland associated with the dwelling included a site that had received consent for 650 houses on appeal.

The Chairman invited Councillor Deacon, Ward Member for Felixstowe North, to address the Committee.

Councillor Deacon was concerned regarding the change of use from agricultural to residential use and did not support the application.

There being no questions to Councillor Deacon, the Chairman invited Councillor Smith, Ward Member for Felixstowe South, to address the Committee.

Councillor Smith said that he had no concerns in relation to the application.

There being no questions to Councillor Smith, the Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

That the Legal Agreement be **DISCHARGED**.

2. FELIXSTOWE – DC/19/0445/FUL – Removal of existing unsafe concrete cliff steps & construction of new purpose made metal/concrete steps with guarding's & handrails: Cliff Steps to Promenade, Cliff Road, FELIXSTOWE, IP11 9SH for Suffolk Coastal District Council.

Planning Permission was sought for the removal of existing concrete cliff steps and the construction of new purpose made metal/concrete steps with guardings and handrails. The coastal steps provided pedestrian connectivity between the Cliff Road area and the promenade – which provided direct access to the beach and sea, forming an important part of Felixstowe's tourism offer.

The existing coastal steps were showing obvious signs of wear-and-tear that detracted from the visual appearance of the area. The lack of supporting handrails on both sides of the existing steps also presented a public safety risk. The proposed development to construct purpose made coastal steps was considered to offer considerable public benefits in terms of design/visual appearance; and also improved public safety for pedestrian users.

The item was before the Committee as the applicant was Suffolk Coastal District Council.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer.

The Committee was shown photographs of the existing steps, which highlighted the wear-and-tear and safety concerns detailed in the report.

The key issues were summarised as the design of the development and its impact on the character and appearance of the area, and the public benefits.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

It was confirmed that disabled access to the promenade was located 300 metres away from the steps, at The Dip.

The Planning Development Manager and Development Management Team Leader (South) clarified that the site was one of a number identified in Felixstowe, and that an application had been required for this particular site as the height of the steps meant that development could not take place under permitted development rights.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

APPROVED subject to no material planning objections being received prior to the end of the prescribed consultation period (11 March 2019); and subject to the conditions as follows:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. 16152 7, 16152 6, 16152 5C; and the submitted application form, received 31 January 2019; for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise approved by the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity.

4. HOLLESLEY – DC/19/0627/VLA – Variation of Legal Agreement – Section 106 Agreement: Land at Mallard Way, off Rectory Road, Hollesley, IP12 3FS for SEH (Developments) Ltd.

The application sought to vary the Section 106 Agreement relating to application C/13/0320 which permitted the erection of 16 dwellings. Five of the properties as permitted were required to be Discount Market Housing as set out in the Section 106 Agreement.

The item was before the Committee as the Head of Planning and Coastal Management did not have delegated authority to determine applications to vary Legal Agreements

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. She outlined the proposed changes to the Section 106 Agreement, which were detailed in section 5 of the report. She noted that the changes would simplify and shorten the process of finding buyers for properties and the option to buy 100% of the property would ensure that getting a mortgage was more easily available. The 25% extra fee would then be held/managed by the Council or a Registered Provider to provide further affordable housing at a later date.

The Chairman invited questions to the Officer.

The Senior Planning Officer advised that any amounts from the 25% extra fee held by the Council would be managed by its Legal Services team.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

GRANT AUTHORITY for the variation of the legal agreement relating to C13/0320 to allow: the option to purchase 100% of the property and a change in the length of time the properties are advertised to different groups.

7. PETTISTREE – DC/19/0153/FUL – Change of use without further development of a redundant agricultural grain store, which is a steel framed building 18m by 20m span constructed in 1979, to the storage of marquee components (aluminium frames, PVC covers) and accessories such as tables and chairs, etc., also for panel vans used to deliver the same at Hungarian Hall, Byng Hall Lane, Pettistree, IP13 0JF for Mr. David Boardley

Planning Permission was sought for the retention of the use of a former agricultural building as a storage building for use in connection with a marquee business running from the site. The application was before the Committee as a storage use in the countryside was contrary to Policy DM11 of the Local Plan however the use was small scale, was related to the wedding/event business also running from the site and had been running for eight years with no known problems.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. Site photographs were displayed which demonstrated the former agricultural building's relationship to the wedding/event business on the site.

The key issues were summarised as the principle of B8 use in the countryside and the impact on highway safety. The Senior Planning and Enforcement Officer noted that the site had been used as storage for the marquee business for the last eight years and was therefore two years' short from being able to obtain a lawful use certificate, and the use was not a form of farm diversification.

There had been no complaints regarding the operation of the marquee business from the site and the Highway Authority had not raised any concerns in respect of the application.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

The Planning Development Manager advised that the application was not within the definition of the applications that Economic Development wished to be consulted on, as there was no loss or creation of employment.

A member of the Committee queried the possibility of HGVs accessing the site if B8 use was granted. The Senior Planning and Enforcement Officer advised that there was no current HGV use and that a condition had been recommended that storage is only in relation to the operation of the marquee business.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Plan and Block Plan received 14 January 2019 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the use hereby permitted shall be for storage in connection with Anglia Coastal Marquees only. Reason: The location of the site is such that the local planning authority may not permit a general B8 storage and distribution use or alternative uses in the interests of Highway Safety and/or Protection of the local environment.
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Following the determination of the last application, the Committee thanked the Chairman for her work over the last four years, also thanking officers for their hard work in supporting the Committee.

Before closing the meeting, the Chairman thanked the members of the Committee for their hard work; she stated that she had enjoyed her time on the Committee immensely, and considered its Members had worked well together.

The meeting concluded at 12.30pm.